

Schorle, Bernard

From: Tom Hilbert [thilbert@rresvcs.com]
Sent: Tuesday, April 02, 2013 9:59 AM
To: Schorle, Bernard
Subject: Winnebago Closure Affidavit
Attachments: WLF Northern_Southern Closure Affidavit Final 03212013.pdf

Bernie,

The attached Closure Affidavit was submitted to the IEPA as a permit modification on March 21, 2013.



Thomas Hilbert
5450 Wansford Way
Suite 201
Rockford, IL 61109
815/963-7516
815/381-5647 fax
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March 21, 2013

Illinois Environmental Protection Agency
Attn: Mr. Steve Nightingale, P.E. – Permits Section Manager
Bureau of Land – Permit Section
1021 N. Grand Avenue East
Springfield, IL 62794-9276

RE: Winnebago Landfill – Northern and Southern Units – Certification of Closure
IEPA Site No. 2018080001 / Permit No. 1991-138-LF

Dear Mr. Nightingale:

On behalf of Winnebago Landfill Company, Shaw Environmental, Inc. – a CB&I Company (Shaw) is submitting the following documentation to certify the completion of closure of the Winnebago Landfill Northern and Southern Units — in accordance with 35 Ill. Adm. Code 813.402:

- Attachment A: Summary of IEPA Permitting of Environmental Management Systems;
- Attachment B: IEPA Forms:
 - LPC-282 – Affidavit for Certification of Closure,
 - LPC-PA1 – General Application for Permit,
 - LPC-PA16 – Notice of Application for Permit to Manage Waste, and
 - Certification of Authenticity of Official Forms;
- Attachment C: Final Landform Topographic Drawing; and
- Attachment D: A copy of the site property deed with the required notation (pursuant to 35 Ill. Adm. Code 811.110(g)) for any potential purchaser of the property that the land has been used as a landfill facility; and its use is restricted pursuant to 35 Ill. Adm. Code 811.111(d).

We have enclosed **one (1) original copy** with original signatures, and **three (3) copies**. If you should have any questions, or should require additional information please contact me at 630 / 762-1400 or Tom Hilbert at 815 / 963-7516.

Sincerely,

Shaw Environmental, Inc.

Jesse P. Varsho, P.E., P.G.
Project Manager

Attachments

T:\Projects\2009\137863 - Winnebago LF Exp\Closure Certification\IEPA Closure Letter 03.21.13.doc

ATTACHMENT A
SUMMARY OF IEPA PERMITTING
OF ENVIRONMENTAL MANAGEMENT SYSTEMS



**WINNEBAGO LANDFILL – NORTHERN AND SOUTHERN UNITS
IEPA PERMITTING OF ENVIRONMENTAL MANAGEMENT SYSTEMS
PERMIT NO. 1938-138-LF**

Log Number	Status	Date Received	Final Action Date	Description
INITIAL DEVELOPMENT				
1991-138	I	4/12/1991	4/5/1993	The original Permit approved the development of the " Southern Unit " expanding the existing landfill (known at that time as Pagel Landfill).
1995-250	I	7/10/1995	8/22/1996	Modification No. 2: Conditionally approved the initial Significant Modification of the development and operation of the existing landfill unit (i.e., the " Northern Unit " and approved the vertical expansion of the Northern Unit).
1996-058	I	2/27/1996	8/22/1996	
GROUNDWATER MONITORING SYSTEM:				
1995-015	I	1/17/1995	4/17/1995	Modification No. 1: Approved Applicable Groundwater Quality Standards (AGQSs) for the groundwater monitoring parameters.
1995-250	I	7/10/1995	8/22/1996	Modification No. 2: Development of initial monitoring system, see "Initial Development" above.
1996-058	I	2/27/1996	8/22/1996	
1999-191	I	5/20/1999	8/17/1999	Modification No. 10: Approved low flow groundwater sampling techniques.
1999-235	I	7/1/1999	11/12/1999	Modification No. 11: Approved acceptance reports for Phase I structures (i.e., liner foundation, compacted soil liner, geomembrane liner, leachate collection system and stormwater control structures), and revised CQA program to be used with HDPE liner.
1999-320	I	8/25/1999	11/12/1999	
2000-467	I	12/13/2000	3/29/2001	Modification No. 14: Approved the revised groundwater monitoring well designations.
2001-384	I	10/3/2001	1/9/2002	Modification No. 18: Approved the construction acceptance report for Phase III of the Southern Unit and permits operation in Phase III.
2002-365	I	12/4/2002	3/19/2003	Modification No. 22: Approved the construction acceptance report and operation of Phase IV of the Southern Unit. .
2002-373	I	12/13/2002	3/26/2004	Modification No. 24: It revised the AGQS values, redesignated G13S & G13D as upgradient to the South Unit, and revised the CQA Plan.
2004-257	I	7/15/2004	9/28/2005	Modification No. 28: Approved Groundwater Management Zone (GMZ) Evaluation, set the MAPC values equal to the corresponding AGQS values, and inclusion of GMZ wells and subject parameter list.
2005-088	I	3/14/2005	10/18/2005	Modification No. 29: Approved revised AGQS interwell values for total and dissolved chloride. Approved development of AGQS intrawell values for total chromium, total copper, total nickel, total selenium, and total sodium in Well R22S. Approved development of AGQS intrawell values for total arsenic, total aluminum, total vanadium, total cobalt, total iron, and total lead in Well G23D.
2005-434	I	11/1/2005	12/21/2005	Modification No. 30: Approved Construction Quality Assurance Acceptance Report for the South Unit expansion construction.
2005-258	I	7/12/2005	1/18/2006	Modification No. 31: Approved revised AGQS interwell values for Wells G29S and G29D, and revised sampling protocols for low flow purging and sampling.
2005-308	I	8/10/2005	1/18/2006	



**WINNEBAGO LANDFILL – NORTHERN AND SOUTHERN UNITS
IEPA PERMITTING OF ENVIRONMENTAL MANAGEMENT SYSTEMS
PERMIT NO. 1938-138-LF**

Log Number	Status	Date Received	Final Action Date	Description
GROUNDWATER MONITORING SYSTEM: (continued)				
2006-123	I	4/17/2006	11/1/2006	Modification No. 33: Approved groundwater assessment monitoring report and revised AGQS values for dissolved iron and dissolved sulfate in the North Unit.
2006-351	I	9/18/2006	12/21/2006	Modification No. 34: Approved transfer of land ownership from Winnebago Reclamation Service Inc. to Winnebago Landfill Company LLC
2006-404	I	10/19/2006	12/21/2006	
2007-012	I	1/12/2007	3/22/2007	Modification No. 35: Approved interwell values for upgradient wells G11D, G13D, G13S, G22D, and R11S; and intrawell values for wells R22S and G23D.
2008-069	I	2/19/2008	6/26/2008	Modification No. 36: Approved the modification of the Leachate Monitoring and Groundwater Monitoring sections of the Permit to reflect the regulatory amendments to the IPCB rulemaking Docket No. R2007-008. Also added Special Condition I.13 requiring the use of the GRI standards for geomembrane testing, and Special Condition V.9 requiring submittal of compliance with Section 39(i) of the Act.
2007-181	I	5/1/2007	10/31/2008	Modification No. 37: Approved the 2007 Groundwater Corrective Action Status Report: "Groundwater Management Zone Evaluation," the installation and investigation for 4 new borings, and installation of 2 new GMZ Wells (50S and 51S) .
2008-070	I	2/19/2008	2/11/2009	Modification No. 38: Approved evaluation of groundwater monitoring increases and exceedances from the 2nd Quarter of 2005 through the 4th Quarter of 2007. Approved the development of the intrawell AGQS value for TDS at R22S, revision of interwell AGQS values for dissolved manganese and dissolved sulfate.
2009-027	I	2/25/2009	6/2/2009	Modification No. 39: Approved abandonment of GMZ Well G119 and replacement with Well 50S. Also approved replacement of GMZ Well 15S with GMZ Well 51S.
2009-221	I	5/1/2009	7/29/2009	Modification No. 40: Approved groundwater management zone investigation results report (response to Condition VIII.23 of Modification No. 28).
2009-174	I	4/15/2009	8/21/2009	Modification No. 41: Approved establishment of interwell AGQS values for dissolved chromium, dissolved magnesium, and dissolved mercury.
2010-152	I	6/4/2010	1/21/2011	Modification No. 46: Approved Alternate Source Demonstrations at 2-Northern Unit upgradient wells G09M and G20D; at 2-Northern Unit downgradient wells G03M and G41D; at 2- combined Northern-Southern Unit upgradient wells G13S and G13D; at 3- Southern Unit upgradient wells G11D, R22S and G22D; at 2- Southern Unit downgradient wells G26S and R42S; corrections to Conditions VIII.9.A, and VIII.9.B of the Permit; an intrawell AGQS value for dissolved chloride at upgradient well R22S; and proposal to revise the interwell AGQS value for the dissolved chloride.
2011-451	I	10/12/2011	01/10/2012	Alternate source demonstration for second quarter 2011 confirmed exceedances in accordance with Condition VIII.15 of Permit Modification No. 50. Well abandonment documentation for wells G18S and G18D are also included in this submittal.



**WINNEBAGO LANDFILL – NORTHERN AND SOUTHERN UNITS
IEPA PERMITTING OF ENVIRONMENTAL MANAGEMENT SYSTEMS
PERMIT NO. 1938-138-LF**

Log Number	Status	Date Received	Final Action Date	Description
GROUNDWATER MONITORING SYSTEM: (continued)				
2010-373	I	9/3/2010	10/7/2011	<p>Modification No. 51:</p> <p><i>Log No. 2010-373:</i> Approved the alternate source demonstration for confirmed monitored increases in groundwater monitoring wells R22S, G13D, G13S, G09D, G20D, R39S, G41S, G51S and G52S for the second quarter 2010; and approved the revised interwell AGQS values for dissolved chromium and dissolved sulfate.</p> <p><i>Log No. 2010-490:</i> Approved an alternate source demonstration for confirmed monitored increases in groundwater monitoring well R28D for the third quarter 2010. Approved the revised interwell AGQS values for dissolved chromium and total dissolved solids (TDS); and approved an intrawell AGQS value for dissolved arsenic at groundwater monitoring well R28D.</p> <p><i>Log No. 2011-004:</i> Approved an alternate source demonstration for confirmed monitored increases in groundwater monitoring wells G22D, G09M and G51S for the third quarter 2010.</p> <p><i>Log No. 2011-118:</i> Approved an alternate source demonstration for confirmed monitored increases in groundwater monitoring wells R03S, G09M, R39S, G51S, R11S, R22S and R28D for the fourth quarter 2010. Approved the revised interwell AGQS value for specific conductance.</p>
2010-490	I	10/14/2010	10/7/2011	
2011-004	I	1/10/2011	10/7/2011	
2011-118	I	4/8/2011	10/7/2011	
2012-133	I	05/09/2012	08/28/2012	Application to revise the AGQS value for Dissolved Chloride (storet number 00550) for the Southern Unit in accordance with Permit Condition VIII.26 (Modification No. 53). Application also requestss correction to Condition VII.9.A to include GMZ compliance boundary wells G53M and G53S, as approved by Permit Application Log No. 2010-038 (Modification No. 50).
2012-143	I	05/09/2012	08/07/2012	Application to revise the AGQS value for Hexane Soluble Oil (stored number 00550) for the Northern Unit.
SURFACE WATER MANAGEMENT SYSTEM:				
1991-138	I	4/12/1991	4/5/1993	The original Permit approved the development of the " Southern Unit " expanding the existing landfill (known at that time as Pagel Landfill).
1998-001	I	1/2/1998	6/18/1998	Modification No. 6: Approved revision to methods used to construct the final cover system, revisions to surface water drainage system and final contours, an acceptance report for closure of 16.6 acres.
1999-235	I	7/1/1999	11/12/1999	Modification No. 11: Approved operating authorization allowing waste disposal in Phase I of the South Unit. Approved acceptance reports for Phase I structures (i.e., liner foundation, compacted soil liner, geomembrane liner, leachate collection system and stormwater control structures), and revised CQA program to be used with HDPE liner.
1999-320	I	8/25/1999	11/12/1999	
2001-360	I	9/19/2001	5/31/2002	Modification No. 19: Approved revised final cover design and associated CQA activities, operating authorization for the leachate/gas collection system in the Northern Unit; the revised cost estimates for the Northern and Southern Units; and the final cover construction acceptance report for the eastern portion of the Northern Unit.



**WINNEBAGO LANDFILL – NORTHERN AND SOUTHERN UNITS
IEPA PERMITTING OF ENVIRONMENTAL MANAGEMENT SYSTEMS
PERMIT NO. 1938-138-LF**

Log Number	Status	Date Received	Final Action Date	Description
SURFACE WATER MANAGEMENT SYSTEM: (continued)				
2011-143	I	4/21/2011	8/9/2011	Modification No. 48: Approved the revisions to the approved final waste contours and the surface water management system, for the Southern Unit.
2012-049	A	02/10/2012		Completion of Phase 2 Final Cover Construction (South Unit) - <i>Pending</i>
LANDFILL GAS MONITORING SYSTEM:				
1994-345	I	7/26/1994	10/21/1994	Supplemental Permit No. 1994-345-SP: Approved installations of 19 landfill gas monitoring probes, 10 leachate / gas extraction wells, and a gas flare station.
1995-153	I	4/27/1995	7/21/1995	Supplemental Permit No. 1995-153-SP: Approved landfill gas monitoring probes.
LANDFILL GAS MANAGEMENT SYSTEM:				
1994-345	I	7/26/1994	10/21/1994	Supplemental Permit No. 1994-345-SP: Approved installations of 19 landfill gas monitoring probes, 10 leachate / gas extraction wells, and a gas flare station.
1995-153	I	4/27/1995	7/21/1995	Supplemental Permit No. 1995-153-SP: Approved landfill gas monitoring probes.
2000-469	I	12/15/2000	4/13/2001	Modification No. 15: Approved documentation for the installation of the soil methane vacuum system.
2002-136	I	5/24/2002	8/22/2002	Modification No. 20: Approved the installation of an additional 2,500 cfm gas flare.
2002-297	I	10/3/2002	12/11/2002	Modification No. 21: Approved the operation of an additional 2,500 cfm gas flare. It also adds and deletes certain special conditions for manufactured gas plant waste, leachate reports, etc.
2005-008	I	1/5/2005	5/4/2005	Modification No. 26: Approved changes to the Southern Unit landfill gas management system, and approved the operation of the first phase of the South Unit's gas management system consisting of 10 extraction wells, a condensate tank, a blower/flare unit, and associated pipes, valves and appurtenances.
2006-454	I	1/4/2008	5/3/2010	Modification No. 44: Approved construction of additional landfill gas components for the gas collection and control system, including the relocation of the existing utility gas flare to a centralized treatment. also approved the addition of leachate recirculation system in the Southern Unit of the landfill.



**WINNEBAGO LANDFILL – NORTHERN AND SOUTHERN UNITS
IEPA PERMITTING OF ENVIRONMENTAL MANAGEMENT SYSTEMS
PERMIT NO. 1938-138-LF**

Log Number	Status	Date Received	Final Action Date	Description
LANDFILL GAS MANAGEMENT SYSTEM: (continued)				
2010-475	I	11/3/2010	1/9/2012	Modification No. 52: Approved the construction of the landfill gas-to-energy facility (a.k.a. Winnebago Energy Center or “WEC”) to serve as the primary gas disposal option for the Northern and Southern Units, with the existing flare system serving as the alternate gas disposal option.
2012-049	A	02/10/2012		Completion of Phase 2 Final Cover Construction (South Unit) - <i>Pending</i>
LEACHATE MONITORING SYSTEM:				
1995-250	I	7/10/1995	8/22/1996	Modification No. 2: Development of initial monitoring system, see “Initial Development” section on p.1.
1996-058	I	2/27/1996	8/22/1996	
1998-329	I	10/2/1998	1/12/1999	Modification No. 8: Revised the leachate monitoring network for the Northern Unit by replacing the 2 leachate storage tanks with 4 leachate / gas extraction wells.
1999-235	I	7/1/1999	11/12/1999	Modification No. 11: Approved operating authorization allowing waste disposal in Phase I of the South Unit. Approved acceptance reports for Phase I structures (i.e., liner foundation, compacted soil liner, geomembrane liner, leachate collection system and stormwater control structures), and revised CQA program to be used with HDPE liner.
1999-320	I	8/25/1999	11/12/1999	
2001-384	I	10/3/2001	1/9/2002	Modification No. 18: Approved the construction acceptance report for Phase III of the Southern Unit as described in Log No. 2001-384. Permits operation in Phase III.
2002-365	I	12/4/2002	3/19/2003	Modification No. 22: Approved the construction acceptance report (landfill liner system) and operation of Phase IV of the Southern Unit. It also revised the closure and post-closure care cost to \$5,086,880.40.
2005-434	I	11/1/2005	12/21/2005	Modification No. 30: Approved Construction Quality Assurance Acceptance Report for the South Unit expansion Phase I liner construction, and revised closure and post-closure costs.
2006-037	I	1/27/2006	6/8/2006	Modification No. 32: Approved the use refractory brick and contaminated soil as alternate daily cover; modified operating hours of 5am to 7pm, Mon-Sat; and replacement of leachate sampling well L314 with L317.
2006-157	I	5/5/2006	6/8/2006	
2006-351	I	9/18/2006	12/21/2006	Modification No. 34: Approved transfer of land ownership from Winnebago Reclamation Service Inc. to Winnebago Landfill Company LLC
2006-404	I	10/19/2006	12/21/2006	



**WINNEBAGO LANDFILL – NORTHERN AND SOUTHERN UNITS
IEPA PERMITTING OF ENVIRONMENTAL MANAGEMENT SYSTEMS
PERMIT NO. 1938-138-LF**

Log Number	Status	Date Received	Final Action Date	Description
LEACHATE MONITORING SYSTEM: (continued)				
2008-069	I	2/19/2008	6/26/2008	Modification No. 36: Approved the modification of the Leachate Monitoring and Groundwater Monitoring sections of the Permit to reflect the regulatory amendments to the IPCB rulemaking Docket No. R2007-008. Also added Special Condition I.13 requiring the use of the GRI standards for geomembrane testing, and Special Condition V.9 requiring submittal of compliance with Section 39(i) of the Act.
2009-503	I	11/20/2009	3/17/2010	Modification No. 42: Approved modification to the permitted North Unit leachate sampling points.
LEACHATE MANAGEMENT SYSTEM:				
1994-345	I	7/26/1994	10/21/1994	Supplemental Permit No. 1994-345-SP: Approved installations of 19 landfill gas monitoring probes, 10 leachate/gas extraction wells, and a gas flare station.
1998-329	I	10/2/1998	1/12/1999	Modification No. 8: Revised the leachate monitoring network for the Northern Unit by replacing the 2 leachate storage tanks with 4 leachate / gas extraction wells.
2001-086	I	3/2/2001	6/28/2001	Modification No. 16: Approved development of the leachate force main for the South Unit.
2001-360	I	9/19/2001	5/31/2002	Modification No. 19: Approved revised final cover design and associated CQA activities, operating authorization for the leachate/gas collection system in the Northern Unit; the revised cost estimates for the Northern and Southern Units; and the final cover construction acceptance report for the eastern portion of the Northern Unit.
2006-454	I	1/4/2008	5/3/2010	Modification No. 44: Approved construction of additional landfill gas components for the gas collection and control system, including the relocation of the existing utility gas flare to a centralized treatment. also approved the addition of leachate recirculation system in the Southern Unit of the landfill.
2011-067	I	2/18/2011	6/17/2011	Modification No. 47: Approved the Construction Quality Assurance Acceptance Report for the leachate forcemain located along west side of Northern and Southern Units.



**WINNEBAGO LANDFILL – NORTHERN AND SOUTHERN UNITS
IEPA PERMITTING OF ENVIRONMENTAL MANAGEMENT SYSTEMS
PERMIT NO. 1938-138-LF**

Log Number	Status	Date Received	Final Action Date	Description
FINAL COVER SYSTEM:				
1998-001	I	1/2/1998	6/18/1998	Modification No. 6: Approved updated Closure/Post-Closure Plans and Cost Estimates, revision to methods used to construct the final cover system, revisions to surface water drainage system and final contours, an acceptance report for closure of 16.6 acres.
1998-081	I	5/15/1998	5/19/1999	Modification No. 9: Approved increased waste capacity of Southern Unit, and increased final elevation of Southern Unit.
1998-433	I	12/11/1998	5/19/1999	
1999-235	I	7/1/1999	11/12/1999	Modification No. 11: Approved operating authorization allowing waste disposal in Phase I of the South Unit. Approved acceptance reports for Phase I structures (i.e., liner foundation, compacted soil liner, geomembrane liner, leachate collection system and stormwater control structures), and revised CQA program to be used with HDPE liner.
1999-320	I	8/25/1999	11/12/1999	
2000-488	I	12/26/2000	10/4/2001	Modification No. 17: Approved time extension to complete final cover construction on the Northern Unit, slope revision of the north perimeter berm of the Southern Unit, and deletion of wells G45S and G45D.
2001-164	I	4/27/2001	10/4/2001	
2001-241	I	6/26/2001	10/4/2001	
2001-360	I	9/19/2001	5/31/2002	Modification No. 19: Approved revised final cover design and associated CQA activities, operating authorization for the leachate/gas collection system in the Northern Unit; the revised cost estimates for the Northern and Southern Units; and the final cover construction acceptance report for the eastern portion of the Northern Unit.
2003-239	I	6/25/2003	4/27/2004	Modification No. 25: Approved Northern and Southern Unit Vertical and Horizontal Expansion (joining the 2 units together). Also approved the following: revised operating hours of 5 am- 7pm, revised CQA Plan, revised closure and post-closure cost estimates, and the use of a GCL / 60-mil GM / GC for the separation layer for the part of the expansion that was "piggybacked" on the North Unit (Pagel Pit).
2011-143	I	4/21/2011	8/9/2011	Modification No. 48: Approved the revisions to the approved final waste contours and the surface water management system for the Southern Unit.
2012-049	A	02/10/2012		Completion of Phase 2 Final Cover Construction (Southern Unit) - Pending
2012-089	I	03/09/2012	03/12/2013	Modification No. 60: Construction Quality Assurance Acceptance Report for the 2010 Southern Unit Final Cover.

Note: Status of "I" signifies that permit / permit modification was issued, and "A" signifies that the application for permit / permit modification is actively pending.



ATTACHMENT B

IEPA FORMS

- LPC-282: Affidavit for Certification of Closure
- LPC-PA1: General Application for Permit
- LPC-PA16: Notice of Application for Permit to Manage Waste
- Certification of Authenticity of Official Forms





Illinois Environmental Protection Agency

Bureau of Land • 1021 North Grand Avenue East • P.O. Box 19276 • Springfield • Illinois • 62794-9276

Affidavit for Certification of Closure of Solid Waste Landfills Permitted under 35 Ill. Adm. Code Parts 813 and 814

NOTE: Please complete this form online, save a copy locally, print and enter the required signatures. Submit the original, with original signatures, and two (2) photocopies (or three (3) if applicable) of all application forms and supporting documentation*, including plan sheets and maps, requested in the application to:

Illinois Environmental Protection Agency
Bureau of Land
Permit Section #33
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

This form shall be used for sites certifying completion of closure after August 1, 2003.

1. Site Identification:

Site Name: Winnebaqo Landfill Facility - Northern Unit, Southern Unit, Southern Expansion Unit
IEPA ID Number: 2018080001 Permit No. 1991-138-LF
Street Address: 8403 Lindenwood Road P.O. Box: _____
City: Rockford State: IL Zip Code: 61109 County: Winnebaqo

2. Owner/Operator Identification:

Owner	Operator
Name: <u>Winnebaqo Landfill Company</u>	Name: <u>Winnebaqo Reclamation Service, Inc.</u>
Street Address: <u>5450 Wansford Way, Ste 201</u>	Street Address: <u>8403 Lindenwood Road</u>
PO Box: _____	PO Box: _____
City: <u>Rockford</u> State: <u>IL</u>	City: <u>Rockford</u> State: <u>IL</u>
Zip Code: <u>61109</u> Phone: <u>815-963-7516</u>	Zip Code: <u>61109</u> Phone: <u>815-963-7516</u>
Contact: <u>Tom Hilbert</u>	Contact: <u>Tom Hilbert</u>
Email Address: <u>thilbert@rresvcs.com</u>	Email Address: <u>thilbert@rresvcs.com</u>

3. Facility Type:

Identify the landfill by waste type and by the regulations under which it is permitted:

- | | |
|---|---|
| <input type="checkbox"/> Inert Waste Landfill | <input type="checkbox"/> Part 813 |
| <input type="checkbox"/> Chemical Waste Landfill | <input type="checkbox"/> Part 814, Subpart B |
| <input type="checkbox"/> Putrescible Waste Landfill (but not Municipal Solid Waste Landfill) | <input checked="" type="checkbox"/> Part 814, Subpart C |
| <input checked="" type="checkbox"/> Municipal Solid Waste Landfill | <input type="checkbox"/> Part 814, Subpart D |
| <input type="checkbox"/> Low Risk Waste from the Steel or Foundry Industry Landfill | <input type="checkbox"/> Part 814, Subpart F |
| <input type="checkbox"/> Potentially Usable Waste from the Steel or Foundry Industry Landfill | <input type="checkbox"/> Part 814, Subpart G |
| | <input type="checkbox"/> Part 814, Subpart H |
| | <input type="checkbox"/> Part 814, Subpart I |

* "Documentation" means items, in any tangible form, whether directly legible or legible with the aid of any machine or device, including but not limited to affidavits, certificates, deeds, leases, contracts or other binding agreements, licenses, permits, photographs, audio or video recordings, maps, geographic surveys, chemical and mathematical formulas or equations, mathematical and statistical calculations and assumptions, research papers, technical reports, technical designs and design drawings, stocks, bonds, and financial records, that are used to support facts or hypotheses (35 Ill. Adm. Code 1100.103).

This Agency is authorized to require this information under Section 4 and Title X of the Environmental Protection Act (415 ILCS 5/4, 5/39). Failure to disclose this information may result in: a civil penalty of not to exceed \$50,000 for the violation and an additional civil penalty of not to exceed \$10,000 for each day during which the violation continues (415 ILCS 5/42). This form has been approved by the Forms Management Center.

4. Required Information:

Pursuant to 35 Ill. Adm. Code 813.402, to certify closure the operator of the waste management site shall submit the following documentation to the Permit Section, Division of Land Pollution Control. An original and two copies of all documents including this form shall be submitted (for plan sheets, submit three copies only).

- a. Submit plan sheets for the closed site which indicate final contours achieved at the completion of closure activities
- b. Identify the date the facility ceased accepting waste and the date closure was actually completed.

Date site ceased accepting waste: July 11, 2011

Date closure activities were completed: November 10, 2011

- c. Identify the permit number and/or permit modification number(s) in which the latest closure plan and post-closure care plan were approved: 1991-138-LF Modification #58
- d. Identify the permit number and/or permit modification number(s) in which the latest surface water management plan was approved:
- e. Identify the permit number and/or permit modification number(s) that provided documentation that the structures/systems, listed below, were installed/constructed. If a permit has not been issued, use the Log No. assigned to the application. If a Log No. has not been assigned to the application, use the date the application was submitted to the Illinois EPA ,

Final Cover System:	<u>See Attachment A</u>
Surface Water Control System:	<u>See Attachment A</u>
Groundwater Monitoring Wells:	<u>See Attachment A</u>
Gas Monitoring Devices:	<u>See Attachment A</u>
Leachate Monitoring Points:	<u>See Attachment A</u>
Leachate Extraction & Mgmt Systems:	<u>See Attachment A</u>
Gas Extraction & Mgmt Systems:	<u>See Attachment A</u>

- f. Submit proof that a notation (that the land has been used as a landfill and its use is restricted during the post-closure care period) on the deed to the facility property has been recorded per 35 Ill. Adm. Code 811.110(g).

Failure to provide any of the items described above will result in rejection of the closure notice.

5. Signatures:

Original signatures are required. Signature stamps or applications transmitted electronically or by FAX are not acceptable.

I hereby affirm that all closure activities for the referenced site have been completed in accordance with the approved closure care plan, and that all information contained in this submission is true and accurate to the best of my knowledge and belief.

I do hereby swear that I am a duly authorized representative of the operator and I am authorized to sign this affidavit.

Any person who knowingly makes a false, fictitious, or fraudulent material statement, orally or in writing, to the Illinois EPA commits a Class 4 felony. A second or subsequent offense after conviction is a Class 3 felony. (415 ILCS 5/44(h))



Operator Signature:

Thomas Hilbert

Printed Name:

3-20-2013

Date:

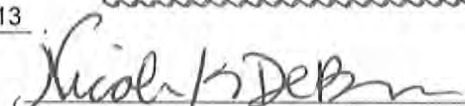
Engineering Manager

Title:



Notary: Subscribed and Sworn before me this 20 day of March 2013

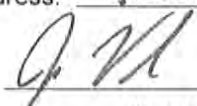
My commission expires on: 1/10/2014



Signature & Stamp/Seal of Notary Public

Engineer's Name: Jesse VarshoEngineer's Title: Project ManagerCompany: Shaw EnvironmentalRegistration Number: 062.059069Street Address: 1607 E. Main Street

PO Box: _____

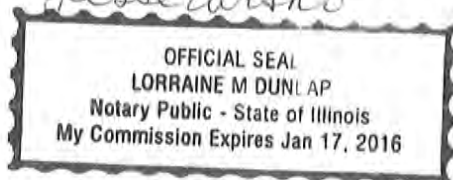
City: St. Charles State: ILZip Code: 60174Phone: 630-762-1400Email Address: jesse.varsho@ebi.comLicense Expiration Date: 11/30/13


Signature

3/21/13

Date

Lorraine M. Dunlap
Notary Public for
Jesse Varsho





Illinois Environmental Protection Agency

Page 1 of 4

Bureau of Land • 1021 North Grand Avenue East • P.O. Box 19276 • Springfield • Illinois • 62794-9276

General Application for Permit (LPC - PA1)

This form must be used for any application for permit from the Bureau of Land, except for landscape waste composting or hazardous waste management facilities regulated in accordance with RCRA, Subtitle C. One original, and two copies, or three if applicable, of all permit application forms must be submitted. Attach the original and appropriate number of copies of any necessary plans, specifications, reports, etc to fully support and describe the activities and modifications being proposed. Attach sufficient information to demonstrate the compliance with all regulatory requirements. Incomplete applications will be rejected. Please refer to the instructions for further guidance. **Note: Applicants must provide a physical address; the post office will not deliver a certified letter (final action letter) to a P.O. Box only. Please provide an extended ZIP+4 code for the site identification and owner/operator information.**

You may complete this form online, save a copy locally, print, sign and submit it to the Bureau of Land at the address below. Note: Hand-delivered permit applications must be delivered between 8:30 am and 5:00 pm, Monday through Friday (excluding State holidays) to:

Bureau of Land, Permit Section, Mail Code #33
1021 North Grand Avenue East, P.O. Box 19276
Springfield, IL 62794-9276

I. Site Identification:

Site Name: Winnebago Landfill IEPA BOL No.: 2018080001
Street Address: 8403 Lindenwood Road P.O. Box: _____
City: Rockford State: IL Zip + 4: 61109 *Notification letters will not be sent without a 9-digit zip code. County: Winnebago
Existing DE/OP Permit Numbers (if applicable): 1991-138-LF

II. Applicant Identification:

Owner

Operator (if Different)

Name: Winnebago Landfill Company, LLC
Street Address: 5450 Wansford Way, Suite 201B
PO Box: _____
City: Rockford State: IL
Zip + 4: 61109 Phone: _____
Contact: Tom Hilbert
Email Address: thilbert@rresvcs.com
FEIN ID No. 36-2917437

Name: Winnebago Reclamation Service, Inc.
Street Address: 5450 Wansford Way, Suite 201B
PO Box: _____
City: Rockford State: IL
Zip + 4: 61109 Phone: _____
Contact: Tom Hilbert
Email Address: thilbert@rresvcs.com
FEIN ID No. 36-2917437

Agency correspondence mailed to: Owner ☐ Operator ☐ Other - Explain ☐

TYPE OF SUBMISSION/REVIEW PERIOD:

TYPE OF FACILITY:

TYPE OF WASTE:

- ☐ New Landfill/180 days (35 IAC Part 813)
- ☐ Landfill Expansion/180 days (35 IAC Part 813)
- ☐ Sig. Mod. to Operate/90 days (35 IAC Part 813)
- ☒ Other Sig. Mod./90 days (35 IAC Part 813)
- ☐ Renewal of Landfill/90 days (35 IAC Part 813)
- ☐ Development/90 days (35 IAC Part 807)
- ☐ Operating/45 days (35 IAC Part 807)
- ☐ Supplemental/90 days (35 IAC Part 807)
- ☐ Permit Transfer/90 days (35 IAC Part 807)
- ☐ Renewal of Experimental Permit (35 IAC Part 807)

- ☒ Landfill
- ☐ Land Treatment
- ☐ Transfer Station
- ☐ Treatment Facility
- ☐ Storage
- ☐ Incinerator
- ☐ Composting
- ☐ Recycling/Reclamation
- ☐ Other (Specify) _____

- ☒ General Municipal Refuse
- ☐ Hazardous
- ☒ Special (Non-Hazardous)
- ☐ Chemical Only (exec. putrescible)
- ☐ Inert Only (exec. chem. & putrescible)
- ☐ Used Oil
- ☐ Potentially Infectious Medical Waste
- ☐ Landscape/Yard Waste
- ☐ Other (Specify) _____

This Agency is authorized to require this information under Section 4 and Title X of the Environmental Protection Act (415 ILCS 5/4, 5/39). Failure to disclose this information may result in: a civil penalty of not to exceed \$50,000 for the violation and an additional civil penalty of not to exceed \$10,000 for each day during which the violation continues (415 ILCS 5/42). This form has been approved by the Forms Management Center.

III. Description of this Permit Request: (Note: The box below will expand as needed)

Modification to certify closure of the Northern and Southern landfill units.

IV. Completeness Requirements

1. Have all required public notice letters been mailed in accordance with the LPC-PA16 instructions? Yes
- ☒
- No
- ☐
- N/A
- ☐

(If so, provide a list of those recipients of the required public notice letters for Illinois EPA retention. Such retention shall not imply any Illinois EPA review and/or confirmation of the list.)

Public Notice Recipients

Name: <u>Joe Sosnowski</u>	Title: <u>Illinois State Representative - District 69</u>
Street Address: <u>305 Amphitheater Drive</u>	P.O. Box: _____
City: <u>Rockford</u> State: <u>IL</u> Zip Code: <u>61107</u>	

Name: <u>Dave Syverson</u>	Title: <u>Illinois State Senator - District 35</u>
Street Address: <u>200 S. Wyman Street, Suite 302</u>	P.O. Box: _____
City: <u>Rockford</u> State: <u>IL</u> Zip Code: <u>61101</u>	

Name: <u>Scott Christiansen</u>	Title: <u>Winnebago County Board Chairman</u>
Street Address: <u>404 Elm Street, Room 504</u>	P.O. Box: _____
City: <u>Rockford</u> State: <u>IL</u> Zip Code: <u>61101</u>	

Name: <u>Joseph P. Bruscato</u>	Title: <u>Illinois State's Attorney</u>
Street Address: <u>Winnebago County Courthouse, 400 S. State Street</u>	P.O. Box: _____
City: <u>Rockford</u> State: <u>IL</u> Zip Code: <u>61101</u>	

Name: <u>Patrick Hayes</u>	Title: <u>City of Rockford - Legal Director (as City Clerk)</u>
Street Address: <u>425 East State Street</u>	P.O. Box: _____
City: <u>Rockford</u> State: <u>IL</u> Zip Code: <u>61104</u>	

Name: <u>Sharon K. Baumgartner</u>	Title: <u>City of New Milford - City Clerk</u>
Street Address: <u>6771 - 11th Street</u>	P.O. Box: _____
City: <u>Rockford</u> State: <u>IL</u> Zip Code: <u>61109</u>	

Name: <u>Steve Stadelman</u>	Title: <u>Illinois State Senator - District 34</u>
Street Address: <u>200 S. Wyman Street, Suite 301</u>	P.O. Box: _____
City: <u>Rockford</u> State: <u>IL</u> Zip Code: <u>61101</u>	

Name: <u>Charles E. Jefferson</u>	Title: <u>Illinois State Representative - District 67</u>
Street Address: <u>200 S. Wyman Street, Suite 304</u>	P.O. Box: _____
City: <u>Rockford</u> State: <u>IL</u> Zip Code: <u>61101</u>	

Name: <u>Margie M. Mullins</u>	Title: <u>Winnebago County Clerk</u>
Street Address: <u>404 Elm Street, Suite 104</u>	P.O. Box: _____
City: <u>Rockford</u> State: <u>IL</u> Zip Code: <u>61101</u>	

Name: <u>John Cabello</u>	Title: <u>Illinois State Representative - District 68</u>
Street Address: <u>1957 Harlem Road</u>	P.O. Box: _____
City: <u>Loves Park</u> State: <u>IL</u> Zip Code: <u>61111</u>	

Name: <u>Village of Davis Junction Clerk</u>	Title: <u>Village Clerk</u>
Street Address: <u>106 North Elm Street</u>	P.O. Box: <u>207</u>
City: <u>Davis Junction</u> State: <u>IL</u> Zip Code: <u>61020</u>	

Name: <u>Village of Cherry Valley Clerk</u>	Title: <u>Village Clerk</u>
Street Address: <u>806 E. State Street</u>	P.O. Box: _____
City: <u>Cherry Valley</u> State: <u>IL</u> Zip Code: <u>61016</u>	

	Yes	No	N/A
2. Has the required Certification of Authenticity been completed and enclosed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. a. Is the Siting Certification Form (LPC-PA8) completed and enclosed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Is siting approval currently under litigation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. a. Is a closure, and if necessary a post-closure plan covering these activities being submitted, or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. has one already been approved?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If yes, provide the permit number: <u>1991-138-LF</u>			
5. a. For operating waste disposal sites, only: Has any employee, owner, operator, officer or director of the owner or operator had a prior conduct certification denied, canceled or revoked?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Have you included a demonstration of how you comply or intend to comply with 35 Ill. Adm. Code 745?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. a. For waste disposal sites, only: Is the property for the facility held in a beneficial trust?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. If yes, is a beneficial trust certification form (LPC-PA9) completed and enclosed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. a. Does the application contain information or proposals regarding the hydrogeology; groundwater monitoring, modeling or classification; a groundwater impact assessment; or vadose zone monitoring for which you are requesting approval?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. If yes, have you submitted a third copy of the application (4 total) and supporting documents?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Has a 39(i) certification been submitted for each owner and operator business entity, and each person who signed for each entity, and each person who signed or may sign any application for this facility? Note: Only the original set of these forms need be submitted.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If no, then complete this certification as indicated.			

V. Signatures:

Page 4 of 4

Original signatures are required. Signature stamps or applications transmitted electronically or by FAX are not acceptable.

All applications shall be signed by the person designated below as a duly authorized representative of the owner and/or operator. A printed name for each signature should also be provided.

Corporation - By a principal executive officer of the level of vice-president or above.

Partnership or Sole Proprietorship - By a general partner or the proprietor, respectively.

Government - By either a principal executive officer or a ranking elected official.

A person is a duly authorized representative of the owner and operator only if:

1. They meet the criteria above or the authorization has been granted in writing by a person described above; and
2. Is submitted with this application (a copy of a previously submitted authorization can be used).

I hereby affirm that all information contained in this application is true and accurate to the best of my knowledge and belief. I do herein swear that I am a duly authorized representative of the owner/operator and I am authorized to sign this permit application form.

Any person who knowingly makes a false, fictitious, or fraudulent material statement, orally or in writing, to the Illinois EPA commits a Class 4 felony. A second or subsequent offense after conviction is a Class 3 felony. (415 ILCS 5/44(h))

Thomas Hilbert

Engineering Manager

Printed Name:

Title:

Owner Signature:

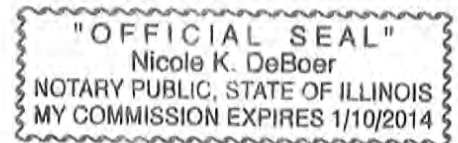
Date:

3-20-2013

Notary: Subscribed and Sworn before me this 20th day of March 2013.

My commission expires on: 1/10/2014

Nicole K. DeBoer
Signature & Stamp/Seal of Notary Public



Thomas Hilbert

Engineering Manager

Printed Name:

Title:

Operator Signature:

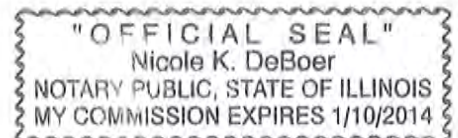
Date:

3-20-2013

Notary: Subscribed and Sworn before me this 20th day of March 2013.

My commission expires on: 1/10/2014

Nicole K. DeBoer
Signature & Stamp/Seal of Notary Public



Licensed Professional Engineer's Name: Jesse Varsho

Licensed Professional Engineer's Title: Head of Landfill Engineering

Registration Number: 062.059069

Company: Shaw Environmental

Street Address: 1607 East Main Street, Ste E

PO Box: _____

City: St. Charles

State: IL

Zip + 4: 60174

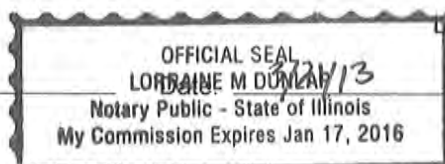
Email Address: Jesse.Varsho@shawgrp.com

Phone: _____

License Expiration Date: November 30, 2013

Signature: Jesse Varsho

Lorraine M. Dunlap
Notary Public for
Jesse Varsho





Illinois Environmental Protection Agency

Bureau of Land • 1021 N. Grand Avenue E. • Box 19276 • Springfield • Illinois • 62794-9276

Notice of Application for Permit to Manage Waste (LPC-PA16)

Date: March 21, 2013

To Elected Officials and Concerned Citizens:

The purpose of this notice is to inform you that a permit application has been submitted to the Illinois EPA, Bureau of Land, for a solid waste project described below. You are not obligated to respond to this notice, however, if you have any comments, please submit them in writing to the Bureau of Land, Attn: Permit Section, at the above address, or contact the Permit Section at 217/524-3300 within 21 days.

NOTE: Please complete this form online, save a copy locally, print and submit it to the Permit Section #33, at the above.

The permit application, which is identified below, is for a project described at the bottom of this page.

Site Identification:

Site Name: Winnebago Landfill IEPA ID Number: 1991-138-LF

Street Address: 8403 Lindenwood Road P.O. Box: _____

City: Rockford State: IL Zip Code: 61109 County: Winnebago

TYPE OF PERMIT SUBMISSIONS:

TYPE OF FACILITY:

TYPE OF WASTE:

- ☐ New Landfill
- ☐ Landfill Expansion
- ☐ First Significant Modification
- ☐ Significant Modification to Operate
- ☒ Other Significant Modification
- ☐ Renewal of Landfill
- ☐ Development
- ☐ Operating
- ☐ Supplemental
- ☐ Transfer
- ☐ Name Change
- ☐ Generic

- ☒ Landfill
- ☐ Land Treatment
- ☐ Transfer Station
- ☐ Treatment Facility
- ☐ Storage
- ☐ Incinerator
- ☐ Composting
- ☐ Recycling/Reclamation
- ☐ Other (Specify) _____

- ☒ General Municipal Refuse
- ☐ Hazardous
- ☐ Special (Non-Hazardous)
- ☐ Chemical Only (exec. putrescible)
- ☐ Inert Only (exec. chem. & putrescible)
- ☐ Used Oil
- ☐ Solvents
- ☐ Landscape/Yard Waste
- ☐ Other (Specify) _____

Description of Project:

Application is being submitted to the IEPA for certification of closure of the Northern and Southern landfill units.



Illinois Environmental Protection Agency

Bureau of Land • 1021 North Grand Avenue East • P.O. Box 19276 • Springfield • Illinois • 62794-9276

Certification of Authenticity of Official Forms

You may complete this form online, save a copy locally, print and sign it before submitting it to the Illinois EPA.

This form must accompany any application submitted to the Illinois EPA Bureau of Land, Division of Land Pollution Control, Permit Section on forms other than the official copy printed and provided by the Illinois EPA. The only allowed changes to the form are in spacing, fonts, and the addition of the information provided. Any additions must be underlined. The forms would not be considered identical if there is any change to, addition or deletion of words on the form or to the language of the form.

The same individuals that sign the application form it accompanies must sign the following certification.

I hereby certify under penalty of law that I have personally examined, and am familiar with the application form or forms and all included supplemental information submitted to the Illinois EPA herewith, and that the official Illinois Environmental Protection Agency application form or forms used herein is or are identical in all respects to the official form or forms provided by the Illinois EPA Bureau of Land Permit Section, and has not or have not been altered, amended, or otherwise modified in any way. I further certify under penalty of law that any attached or included electronic data version of the application form or forms complies with the official Illinois EPA's Electronic version thereof, and is or are identical in all respects to the official electronically downloadable form or forms provided by the Illinois EPA Bureau of Land Permit Section, and has not or have not been altered, amended or otherwise modified in any way.


Owner Signature

Thomas Hilbert

3-20-2013

Date

Engineering Manager

Printed Name

Title

3-20-2013

Date

Engineering Manager

Printed Name

Title


Engineer Signature (if necessary)

Jesse Varsho

Printed Name

3-21-13

Date



Subscribed and Sworn to Before Me, a Notary Public in and for the above-mentioned County and State


Signature

3-20-2013

Date

Nicole K. DeBoer
Printed Name

My commission expires on: 1/10/2014

"OFFICIAL SEAL"
Nicole K. DeBoer
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 1/10/2014

OFFICIAL SEAL
LORRAINE M. DUNLAP
Notary Public - State of Illinois
My Commission Expires Jan 17, 2016

ATTACHMENT C
FINAL LANDFORM TOPOGRAPHIC DRAWING



ATTACHMENT D
SITE PROPERTY DEED





20131012054

Filed for Record in
WINNEBAGO COUNTY, IL
NANCY MCPHERSON, RECORDER

03/20/2013 04:44:19PM

DECLARATION

39.75

DECLARATION
WINNEBAGO COUNTYThis document prepared by
and return after recording to:Jon S. Faletto
Hinshaw & Culbertson LLP
416 Main Street, 6th Floor
Peoria, IL 61602**DECLARATION FOR**
WINNEBAGO LANDFILL FACILITY – SOUTHERN UNIT EXPANSION

THIS DECLARATION (“Declaration”) is made as of this 20th day of March, 2013 by Winnebago Landfill Company, LLC, an Illinois Limited Liability Company (“Declarant”), with a mailing address of 5450 Wansford Way, Suite 201, Rockford, IL 61109.

RECITALS:

A. Declarant is the owner of certain real property commonly known as Winnebago Landfill Facility – Southern Unit Expansion, which is comprised of various and contiguous parcels of land as legally described in Exhibit “A” and as depicted in the Plat of Survey in Exhibit “B” attached hereto and made part hereof, all located in Winnebago County, Illinois (collectively, the “Southern Unit Expansion”).

B. The Southern Unit Expansion has previously been operated as a landfill facility, which landfill facility is now being closed.

C. Declarant desires by this Declaration to comply with the applicable requirements of Illinois law and regulations with respect to such landfill facility closure, to wit, Illinois Administrative Code (the “Code”) Title 35, Subtitle G, Chapter I, Subchapter 1, Part 811, Section 811.110 entitled “Closure and Written Closure Plan” (“Section 811.110”) which requires the owner or operator of a landfill, following closure at a landfill site, to record a notation on the deed to the landfill facility property or some other instrument that is normally examined during title search, which instrument is made in such a way that in perpetuity notifies any potential purchaser of the property that: i) the land has been used as a landfill facility; and ii) its use is restricted pursuant to Section 811.111(d) of the Code.

NOW, THEREFORE, Declarant hereby declares that the Southern Unit Expansion, is and shall be owned, held, mortgage, leased or otherwise encumbered, transferred, assigned, sold, conveyed and accepted subject to this Declaration, and declares that each of the following

covenants, conditions, restrictions, burdens, uses, privileges and charges created hereunder shall exist at all times hereafter amongst, and be binding upon and inure, to the extent provided herein, to the benefit of all parties having or acquiring any right, title, or interest in or to any portion of, or interest or estate in, the Southern Unit Expansion, and each of the foregoing shall run with the land subject to this Declaration, in perpetuity.

1. The foregoing Recitals are hereby incorporated by reference into the body of this Declaration as is fully set forth herein.

2. Declarant hereby makes the following declaration with respect to the Southern Unit Expansion, and does hereby impose upon same the following covenants, conditions, and restrictions, pursuant to said Section 811.110:

A. Notice is hereby given that the Southern Unit Expansion has been used as a landfill facility; and

B. The use of the Southern Unit Expansion is restricted pursuant to Section 811.111(d) of the Code which provides in relevant part:

- i. Postclosure use of the property must not disturb the integrity of the final cover, liner, any other components of the containment system, or the function of the monitoring systems, unless necessary to comply with the requirements of this Part. (35 Illinois Administrative Code §811.111(d)(2)); and
- ii. The Illinois Environmental Protection Agency shall approve any other disturbance if the owner or operator demonstrates that the disturbance of the final cover, liner or other component of the containment system, including any removal of waste, will not increase the potential threat to human health or the environment. (35 Illinois Administrative Code §811.111(d)(3))

3. Declarant hereby covenants and agrees that the servitudes, privileges, agreements and terms hereof shall be binding upon its assigns or successors in interest and all other persons or entities having or hereafter acquiring any right, title or interest in the Southern Unit Expansion. Each and every mortgage, lien or other encumbrance affecting any portion of the Southern Unit Expansion shall at all times be subject to the terms of this Declaration, and any party foreclosing any such mortgage, lien or encumbrance shall foreclose subject to all of the provisions hereof.

4. The restrictions referenced herein shall be perpetual in duration; provided, however, that, to the extent necessary to comply with the rule against perpetuities or similar rules or doctrines under applicable law, said restrictions shall be effective for a term of forty (40) years from the date this Declaration is recorded, after which time said covenants, conditions and restrictions shall be automatically extended without further act of the owners of the Southern Unit Expansion, for successive periods of twenty (20) years each.

5. This Declaration and the obligations of the parties thereunder shall be interpreted, construed and enforced in accordance with the laws of the State of Illinois.

6. Whenever used herein, the singular number shall include the plural, the plural the singular, and the use of any gender shall include all genders. The word, "mortgage," as used herein, shall mean mortgage, deed of trust, trust deed, security deed or deed to secure debt.

IN WITNESS WHEREOF, the Declarant has caused these presents to be executed on this 20th day of March, 2013.

DECLARANT:

WINNEBAGO LANDFILLCOMPANY, LLC

By: 

John Lichty, President

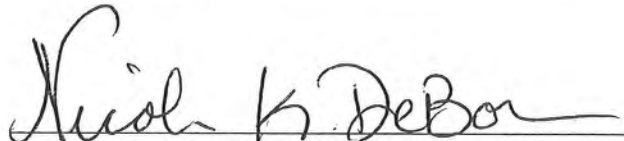
Winnebago Reclamation Service, Inc., as
Manager of the Winnebago Landfill Company,
LLC, an Illinois Limited Liability Company

ACKNOWLEDGEMENT

STATE OF ILLINOIS)
) SS
COUNTY OF WINNEBAGO)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY THAT John Lichty, President of Winnebago Reclamation Service, Inc., as General Manager for Winnebago Landfill Company, LLC, an Illinois Limited Liability Company, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged to me that he signed and delivered the said instrument in such capacity of said limited liability company as his own free and voluntary act, and as the free and voluntary act of said limited liability company as aforesaid, for the uses and purposes therein set forth.

Given under my hand and official seal this 20th day of March, 2013.



Notary Public

My Commission Expires:

1/10/2014

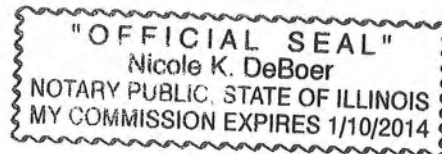


EXHIBIT A**Legal Description for
Winnebago Landfill Facility – Southern Unit Expansion Waste Boundary**

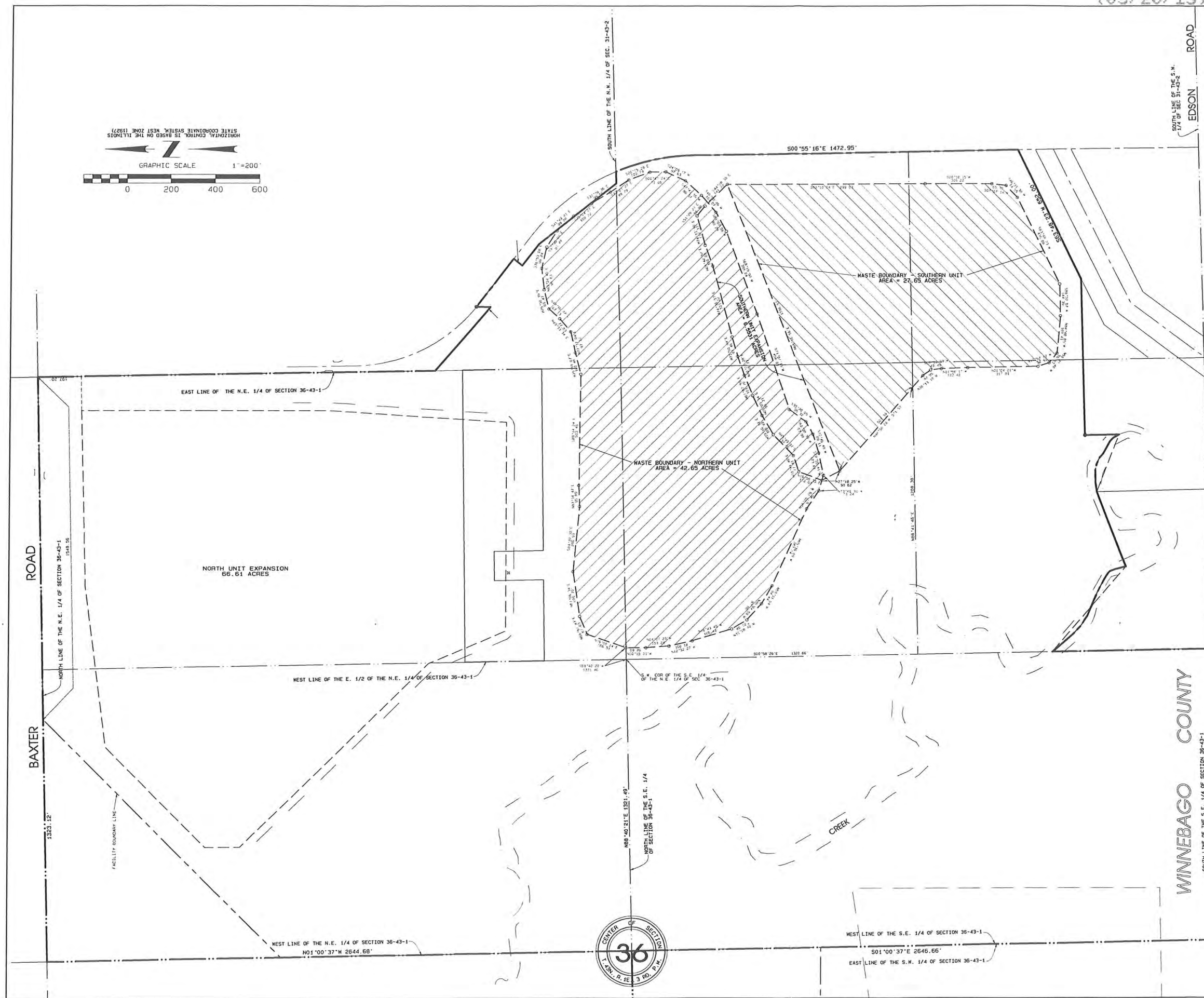
Part of the East Half of Section 36, Township 43 North, Range 1 East of the Third Principal Meridian, and part of the West Half of Section 31, Township 43 North, Range 2 East of the Third Principal Meridian, bounded and described as follows: Commencing at the southwest corner of the Southeast Quarter of the Northeast Quarter of Section 36, Township 43 North, Range 1 East of the Third Principal Meridian; thence South 00 degrees 58 minutes 29 seconds East, along the west line of the Northeast Quarter of the Southeast Quarter of said Section 36, a distance of 1320.66 feet; thence North 88 degrees 41 minutes 46 seconds East, along the north line of the Southeast Quarter of the Southeast Quarter of said Section 36, a distance of 1208.38 feet; thence North 48 degrees 58 minutes 20 seconds West, 501.16 feet to the point of beginning for the following described parcel; thence North 27 degrees 18 minutes 25 seconds West, a distance of 90.62 feet; thence North 19 degrees 56 minutes 35 seconds East, a distance of 112.07 feet; thence North 70 degrees 41 minutes 40 seconds East, a distance of 77.41 feet; thence North 45 degrees 49 minutes 07 seconds East, a distance of 132.76 feet; thence North 59 degrees 16 minutes 31 seconds East, a distance of 100.99 feet; thence North 65 degrees 03 minutes 34 seconds East, a distance of 98.31 feet; thence North 67 degrees 02 minutes 59 seconds East, a distance of 101.70 feet; thence North 70 degrees 27 minutes 28 seconds East, a distance of 89.73 feet; thence North 73 degrees 50 minutes 44 seconds East, a distance of 91.46 feet; thence North 74 degrees 30 minutes 57 seconds East, a distance of 333.22 feet; thence North 69 degrees 42 minutes 52 seconds East, a distance of 100.00 feet; thence North 74 degrees 13 minutes 10 seconds East, a distance of 137.33 feet; thence South 51 degrees 20 minutes 27 seconds East, a distance of 56.98 feet; thence South 44 degrees 28 minutes 30 seconds East, a distance of 141.22 feet; thence South 68 degrees 16 minutes 56 seconds West, a distance of 1396.57 feet to the point of beginning. Containing 6.55 Acres, more or less.

EXHIBIT B

Plat of Survey for:

Winnebago Landfill Facility – Northern Unit, Southern Unit, Southern Unit Expansion

See attached Plat of Survey drawing

LEGAL DESCRIPTION OF
WASTE BOUNDARY-NORTHERN UNIT

of the East Half of Section 36, Township 43 North, Range 1 East of the Third Principal Meridian and part of the West Half of Section 31, Township 43 North, Range 2 East of the Third Principal Meridian bounded and described as follows: Commencing at the Northwest corner of Section 36, Township 43 North, Range 1 East of the Third Principal Meridian; thence North 88 degrees 40 minutes 21 seconds East, along the south line of the Northeast Quarter of Section 36, a distance of 52.46 feet to the POINT OF BEGINNING; thence North 19 degrees 15 minutes 56 seconds East, along the East line of the Northeast Quarter 44 seconds East, 87.03 feet; thence North 81 degrees 04 minutes 21 seconds East, 80.21 feet; thence North 81 degrees 07 minutes 59 seconds East, 125.49 feet; thence South 84 degrees 19 minutes 30 seconds East, 296.53 feet; thence North 87 degrees 34 minutes 41 seconds East, 56.87 feet; thence North 87 degrees 34 minutes 41 seconds East, 43.44 feet; thence North 75 degrees 19 minutes 07 seconds East, 100.46 feet; thence North 77 degrees 17 minutes 04 seconds East, 97.32 feet; thence North 49 degrees 33 minutes 34 seconds East, 77.03 feet; thence North 42 degrees 18 minutes 22 seconds East, 67.13 feet; thence North 75 degrees 30 minutes 16 seconds East, 166.00 feet; thence North 42 degrees 18 minutes 22 seconds East, 96.83 feet; thence South 76 degrees 48 minutes 08 seconds East, 98.84 feet; thence South 57 degrees 40 minutes 08 seconds East, 87.49 feet; thence South 41 degrees 49 minutes 41 seconds East, 99.08 feet; thence South 35 degrees 04 minutes 27 seconds East, 100.22 feet; thence South 31 degrees 16 minutes 33 seconds East, 100.35 feet; thence South 33 degrees 43 minutes 43 seconds East, 100.35 feet; thence South 33 degrees 43 minutes 43 seconds East, 20 degrees 15 minutes 29 seconds East, 100.79 feet; thence South 00 degrees 47 minutes 24 seconds East, 71.65 feet; thence South 24 degrees 09 minutes 17 seconds East, 77.63 feet; thence South 42 degrees 43 minutes 56 seconds West, 98.57 feet; thence South 42 degrees 43 minutes 56 seconds West, 98.57 feet; thence South 42 degrees 02 minutes 55 seconds West, 98.24 feet; thence South 69 degrees 19 minutes 50 seconds West, 398.84 feet; thence South 71 degrees 07 minutes 15 seconds West, 458.03 feet; thence South 35 degrees 20 minutes 55 seconds West, 95.32 feet; thence South 60 degrees 02 minutes 55 seconds West, 95.32 feet; thence South 60 degrees 02 minutes 55 seconds West, 89.11 feet; thence South 77 degrees 55 minutes 41 seconds West, 103.81 feet; thence North 73 degrees 49 minutes 31 seconds West, 73.24 feet; thence North 56 degrees 15 minutes 29 seconds West, 97.46 feet; thence North 65 degrees 36 minutes 09 seconds West, 97.46 feet; thence North 65 degrees 36 minutes 09 seconds West, 97.46 feet; thence North 48 degrees 04 minutes 59 seconds West, 97.66 feet; thence North 31 degrees 08 minutes 42 seconds West, 80.12 feet; thence North 16 degrees 43 minutes 45 seconds West, 186.44 feet; thence North 12 degrees 32 minutes 27 seconds West, 108.16 feet; thence North 12 degrees 32 minutes 27 seconds West, 108.16 feet; thence North 15 minutes 01 seconds West, 89.25 feet to the point of beginning. Situated in the County of Winnebago and the State of Illinois and containing 42.65 acres.

LEGAL DESCRIPTION OF SOUTHERN UNIT EXPANSION

Part of the East Half of Section 36, Township 43 North, Range 1 East of the Third Principal Meridian, and part of the West Half of Section 31, Township 43 North, Range 2 East of the Third Principal Meridian, bounded and described as follows: Commencing at the southwest corner of the Southeast Quarter of the Northeast Quarter of Section 36, thence South 62 degrees 59 minutes 29 seconds East, along the west line of the Northeast Quarter of the Southeast Quarter of said Section 36, a distance of 1320.66 feet; thence North 88 degrees 41 minutes 46 seconds East, along the north line of the Southeast Quarter of the Southeast Quarter of said Section 36, a distance of 1320.66 feet; thence North 48 degrees 59 minutes 30 seconds East, 501.11 feet to the point of beginning for the following described parcel: thence North 27 degrees 18 minutes 25 seconds East, a distance of 90.62 feet; thence North 19 degrees 56 minutes 35 seconds East, a distance of 112.07 feet; thence North 70 degrees 41 minutes 40 seconds East, a distance of 77.41 feet; thence North 69 degrees 41 minutes 40 seconds East, a distance of 100.00 feet; thence North 59 degrees 16 minutes 31 seconds East, a distance of 100.99 feet; thence North 65 degrees 03 minutes 34 seconds East, a distance of 98.31 feet; thence North 67 degrees 02 minutes 39 seconds East, a distance of 101.70 feet; thence North 70 degrees 27 minutes 28 seconds East, a distance of 89.73 feet; thence North 73 degrees 30 minutes 44 seconds East, a distance of 146.46 feet; thence North 73 degrees 30 minutes 44 seconds East, a distance of 133.22 feet; thence North 69 degrees 42 minutes 52 seconds East, a distance of 100.00 feet; thence North 74 degrees 13 minutes 10 seconds East, a distance of 137.33 feet; thence South 51 degrees 20 minutes 27 seconds East, a distance of 56.98 feet; thence South 66 degrees 16 minutes 55 seconds West, a distance of 1396.57 feet to the point of beginning. Containing 6.55 Acres, more or less.

LEGAL DESCRIPTION OF
WASTE BOUNDARY - SOUTHERN UNIT

Part of the East Half of Section 36, Township 43 North, Range 1 East of the Third Principal Meridian, and part of the West Half of Section 31, Township 43 North, Range 2 East of the Third Principal Meridian, bounded and described as follows: Commencing at the southwest corner of the Southeast Quarter of the Northeast Quarter of Section 36, Township 43 North, Range 2 East of the Third Principal Meridian, and thence as follows: 00 degrees 58 minutes 29 seconds East, along the west line of the Northeast Quarter of the Southeast Quarter of said Section 36, a distance of 1320.66 feet; thence North 88 degrees 41 minutes 46 seconds East, along the north line of the Southeast Quarter of the Southeast Quarter of said Section 36, a distance of 1320.66 feet; thence North 88 degrees 41 minutes 46 seconds East, along the north line of the Southeast Quarter of the Southeast Quarter of said Section 36, a distance of 1320.66 feet; thence North 88 degrees 41 minutes 46 seconds East, 899.03 feet; thence South 00 degrees 18 minutes 15 seconds East, 150.00 feet; thence South 00 degrees 18 minutes 15 seconds East, 150.00 feet; thence South 44 degrees 31 minutes 38 seconds West, 74.55 feet; thence South 63 degrees 48 minutes 23 seconds West, 436.08 feet; thence South 88 degrees 22 minutes 07 seconds West, 144.36 feet; thence North 84 degrees 48 minutes 05 seconds West, 169.41 feet; thence North 84 degrees 50 minutes 37 seconds West, 171.00 feet; thence North 17 degrees 52 minutes 12 seconds West, 122.60 feet; thence North 01 degrees 04 minutes 21 seconds West, 317.89 feet; thence North 01 degrees 56 minutes 17 seconds West, 122.42 feet; thence North 07 degrees 06 minutes 59 seconds West, 49.40 feet; thence North 36 degrees 13 minutes 18 seconds West, 42.95 feet; thence North 48 degrees 58 minutes 20 seconds West, 122.42 feet; thence North 48 degrees 58 minutes 20 seconds West, 122.42 feet; and the State of Illinois and containing 27.65 acres.

PLAT OF SURVEY FOR NORTHERN AND SOUTHERN UNIT CLOSURE

PART OF THE EAST 1/2 OF SECTION 36,
T. 43N., R. 1 E. OF THE 3RD. P.M. AND
PART OF THE WEST 1/2 OF SECTION 31,
T. 43N., R. 2E. OF THE 3RD. P.M.
WINNEBAGO LANDFILL
WINNEBAGO COUNTY, ILLINOIS

 <p>Arnold Lundgren & Associates Professional Engineers and Land Surveyors Innovative Professional Design Firm Inc. 164402289 1234 Fourth Avenue • Rockford, IL 61110 (815) 968-5381 • Fax (815) 962-6497 www.arnoldlundgren.com</p>	DATE	2/27/13	REVISIONS	1) ADDED CROSS HATCHING
	BY	DLK		
	APPROVED	GS		
		ORDER NO.	22019	CLOSURE



20131012055

Filed for Record in
WINNEBAGO COUNTY, IL
NANCY MCPHERSON, RECORDER
03/20/2013 04:44:20PM
DECLARATION 39.75

**DECLARATION
WINNEBAGO COUNTY**

This document prepared by
and return after recording to:

Jon S. Faletto
Hinshaw & Culbertson LLP
416 Main Street, 6th Floor
Peoria, IL 61602

**DECLARATION FOR
WINNEBAGO LANDFILL FACILITY – NORTHERN UNIT**

THIS DECLARATION (“Declaration”) is made as of this 20th day of March, 2013 by Winnebago Landfill Company, LLC, an Illinois Limited Liability Company (“**Declarant**”), with a mailing address of 5450 Wansford Way, Suite 201, Rockford, IL 61109.

RECITALS:

A. Declarant is the owner of certain real property commonly known as Winnebago Landfill Facility – Northern Unit, which is comprised of various and contiguous parcels of land as legally described in Exhibit “A” and as depicted in the Plat of Survey in Exhibit “B” attached hereto and made part hereof, all located in Winnebago County, Illinois (collectively, the “**Northern Unit**”).

B. The Northern Unit has previously been operated as a landfill facility, which landfill facility is now being closed.

C. Declarant desires by this Declaration to comply with the applicable requirements of Illinois law and regulations with respect to such landfill facility closure, to wit, Illinois Administrative Code (the “**Code**”) Title 35, Subtitle G, Chapter I, Subchapter 1, Part 811, Section 811.110 entitled “Closure and Written Closure Plan” (“**Section 811.110**”) which requires the owner or operator of a landfill, following closure at a landfill site, to record a notation on the deed to the landfill facility property or some other instrument that is normally examined during title search, which instrument is made in such a way that in perpetuity notifies any potential purchaser of the property that: i) the land has been used as a landfill facility; and ii) its use is restricted pursuant to Section 811.111(d) of the Code.

NOW, THEREFORE, Declarant hereby declares that the Northern Unit, is and shall be owned, held, mortgage, leased or otherwise encumbered, transferred, assigned, sold, conveyed and accepted subject to this Declaration, and declares that each of the following covenants,

conditions, restrictions, burdens, uses, privileges and charges created hereunder shall exist at all times hereafter amongst, and be binding upon and inure, to the extent provided herein, to the benefit of all parties having or acquiring any right, title, or interest in or to any portion of, or interest or estate in, the Northern Unit, and each of the foregoing shall run with the land subject to this Declaration, in perpetuity.

1. The foregoing Recitals are hereby incorporated by reference into the body of this Declaration as is fully set forth herein.

2. Declarant hereby makes the following declaration with respect to the Northern Unit, and does hereby impose upon same the following covenants, conditions, and restrictions, pursuant to said Section 811.110:

A. Notice is hereby given that the Northern Unit has been used as a landfill facility; and

B. The use of the Northern Unit is restricted pursuant to Section 811.111(d) of the Code which provides in relevant part:

- i. Postclosure use of the property must not disturb the integrity of the final cover, liner, any other components of the containment system, or the function of the monitoring systems, unless necessary to comply with the requirements of this Part. (35 Illinois Administrative Code §811.111(d)(2)); and
- ii. The Illinois Environmental Protection Agency shall approve any other disturbance if the owner or operator demonstrates that the disturbance of the final cover, liner or other component of the containment system, including any removal of waste, will not increase the potential threat to human health or the environment. (35 Illinois Administrative Code §811.111(d)(3))

3. Declarant hereby covenants and agrees that the servitudes, privileges, agreements and terms hereof shall be binding upon its assigns or successors in interest and all other persons or entities having or hereafter acquiring any right, title or interest in the Northern Unit. Each and every mortgage, lien or other encumbrance affecting any portion of the Northern Unit shall at all times be subject to the terms of this Declaration, and any party foreclosing any such mortgage, lien or encumbrance shall foreclose subject to all of the provisions hereof.

4. The restrictions referenced herein shall be perpetual in duration; provided, however, that, to the extent necessary to comply with the rule against perpetuities or similar rules or doctrines under applicable law, said restrictions shall be effective for a term of forty (40) years from the date this Declaration is recorded, after which time said covenants, conditions and restrictions shall be automatically extended without further act of the owners of the Northern Unit, for successive periods of twenty (20) years each.

5. This Declaration and the obligations of the parties thereunder shall be interpreted, construed and enforced in accordance with the laws of the State of Illinois.

6. Whenever used herein, the singular number shall include the plural, the plural the singular, and the use of any gender shall include all genders. The word, "mortgage," as used herein, shall mean mortgage, deed of trust, trust deed, security deed or deed to secure debt.

IN WITNESS WHEREOF, the Declarant has caused these presents to be executed on this 20th day of March, 2013.

DECLARANT:

WINNEBAGO LANDFILLCOMPANY, LLC


By: 
John Lichty, President
Winnebago Reclamation Service, Inc., as
Manager of the Winnebago Landfill Company,
LLC, an Illinois Limited Liability Company

ACKNOWLEDGEMENT

STATE OF ILLINOIS)
) SS
COUNTY OF WINNEBAGO)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY THAT John Lichty, President of Winnebago Reclamation Service, Inc., as General Manager for Winnebago Landfill Company, LLC, an Illinois Limited Liability Company, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged to me that he signed and delivered the said instrument in such capacity of said limited liability company as his own free and voluntary act, and as the free and voluntary act of said limited liability company as aforesaid, for the uses and purposes therein set forth.

Given under my hand and official seal this 20th day of March, 2013.



Notary Public

My Commission Expires:

1/10/2014

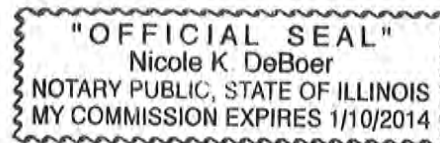


EXHIBIT A**Legal Description for Winnebago Landfill Facility – Northern Unit Waste Boundary**

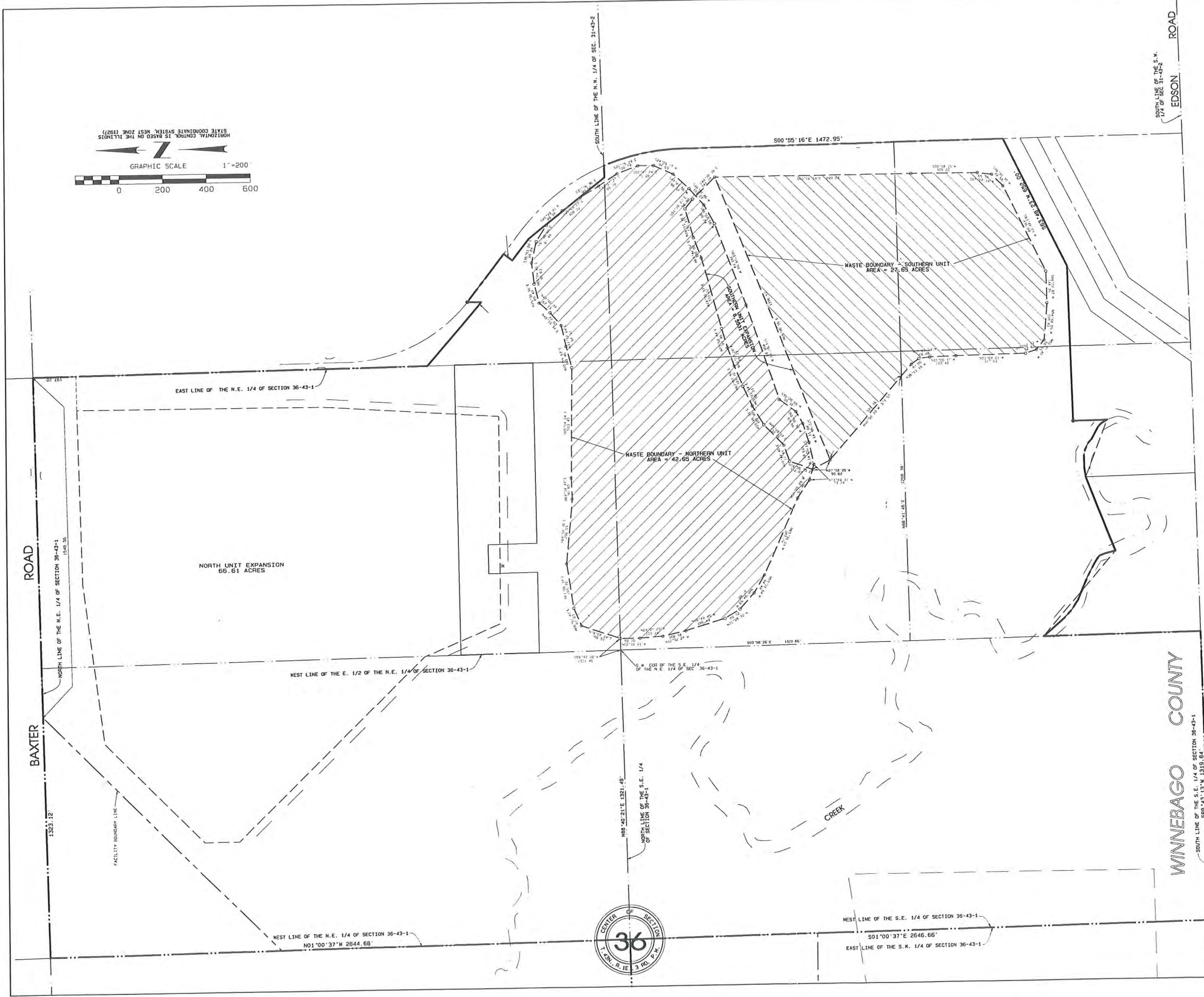
Part of the East Half of Section 36, Township 43 North, Range 1 East of the Third Principal Meridian and part of the West Half of Section 31, Township 43 North, Range 2 East of the Third Principal Meridian bounded and described as follows: Commencing at the Southwest corner of the southeast Quarter of the Northeast Quarter of Section 36, township 43 North, Range 1 East of the Third Principal Meridian; thence North 88 degrees 40 minutes 21 seconds East, along the south line of the Northeast Quarter of Section 36, a distance of 52.46 feet to the POINT OF BEGINNING; thence North 19 degrees 08 minutes 24 seconds East, 186.51 feet; thence North 66 degrees 57 minutes 43 seconds East, 87.03 feet; thence North 81 degrees 04 minutes 21 seconds East, 80.21 feet; thence North 81 degrees 07 minutes 59 seconds East, 125.49 feet; thence South 84 degrees 19 minutes 30 seconds East, 296.53 feet; thence North 87 degrees 34 minutes 47 seconds East, 95.89 feet; thence South 89 degrees 14 minutes 24 seconds East, 503.45 feet; thence North 75 degrees 19 minutes 07 seconds East, 100.46 feet; thence North 77 degrees 17 minutes 04 seconds East, 97.32 feet; thence North 49 degrees 33 minutes 34 seconds East, 77.03 feet; thence North 42 degrees 18 minutes 22 seconds East, 67.13 feet; thence North 75 degrees 30 minutes 16 seconds East, 89.47 feet; thence North 83 degrees 24 minutes 45 seconds East, 96.83 feet; thence South 76 degrees 53 minutes 08 seconds East, 98.84 feet; thence South 57 degrees 40 minutes 08 seconds East, 87.49 feet; thence South 41 degrees 49 minutes 41 seconds East, 99.08 feet; thence South 35 degrees 04 minutes 27 seconds East, 100.22 feet; thence South 31 degrees 16 minutes 36 seconds East, 99.56 feet; thence South 33 degrees 21 minutes 27 seconds East, 99.79 feet; thence South 20 degrees 15 minutes 29 seconds East, 100.79 feet; thence South 00 degrees 47 minutes 24 seconds East, 71.65 feet; thence South 24 degrees 09 minutes 17 seconds West, 97.63 feet; thence South 42 degrees 43 minutes 56 seconds West, 98.57 feet; thence South 48 degrees 58 minutes 46 seconds West, 101.07 feet; thence South 61 degrees 02 minutes 56 seconds West, 98.24 feet; thence South 69 degrees 19 minutes 50 seconds West, 398.84 feet; thence South 71 degrees 07 minutes 15 seconds West, 458.03 feet; thence South 35 degrees 20 minutes 05 seconds West, 95.32 feet; thence South 60 degrees 38 minutes 30 seconds West, 63.90 feet; thence South 72 degrees 46 minutes 49 seconds West, 89.11 feet; thence South 77 degrees 55 minutes 41 seconds West, 103.81 feet; thence North 73 degrees 49 minutes 31 seconds West, 73.24 feet; thence North 56 degrees 05 minutes 29 seconds West, 97.46 feet; thence North 65 degrees 36 minutes 09 seconds West, 383.24 feet; thence North 59 degrees 31 minutes 54 seconds West, 94.44 feet; thence North 48 degrees 04 minutes 59 seconds West, 97.66 feet; thence North 31 degrees 08 minutes 42 seconds West, 80.12 feet; thence North 16 degrees 43 minutes 45 seconds West, 186.44 feet; thence North 12 degrees 32 minutes 27 seconds West, 108.18 feet; thence North 04 degrees 07 minutes 25 seconds West, 103.24 feet; thence North 00 degrees 15 minutes 01 seconds West, 89.26 feet to the point of beginning. Situated in the County of Winnebago and the State of Illinois and containing 42.65 acres.

EXHIBIT B

Plat of Survey for:

Winnebago Landfill Facility – Northern Unit, Southern Unit, Southern Unit Expansion

See attached Plat of Survey drawing



LEGAL DESCRIPTION OF
WASTE BOUNDARY-NORTHERN UNIT

Part of the East Half of Section 36, Township 43 North, Range 1 East of the Third Principal Meridian and part of the West Half of Section 31, Township 43 North, Range 2 East of the Third Principal Meridian bounded and described as follows: Commencing at the Southwest corner of the southeast Quarter of the Northeast Quarter of Section 36, township 43 North, Range 1 East of the Third Principal Meridian; thence North 88 degrees 40 minutes 21 seconds East, along the south line of the Northeast Quarter of Section 36, a distance of 52.46 feet to the POINT OF BEGINNING; thence North 19 degrees 08 minutes 24 seconds East, 186.51 feet; thence North 66 degrees 57 minutes 43 seconds East, 87.03 feet; thence North 81 degrees 04 minutes 21 seconds East, 503.45 feet; thence North 81 degrees 07 minutes 07 seconds East, 100.46 feet; thence North 77 degrees 17 minutes 04 seconds East, 97.32 feet; thence North 49 degrees 33 minutes 34 seconds East, 77.03 feet; thence North 42 degrees 18 minutes 22 seconds East, 67.13 feet; thence North 75 degrees 30 minutes 16 seconds East, 89.47 feet; thence North 83 degrees 24 minutes 45 seconds East, 96.83 feet; thence South 76 degrees 53 minutes 08 seconds East, 98.84 feet; thence South 57 degrees 40 minutes 08 seconds East, 87.49 feet; thence South 41 degrees 49 minutes 41 seconds East, 99.08 feet; thence South 35 degrees 04 minutes 27 seconds East, 100.22 feet; thence South 31 degrees 16 minutes 36 seconds East, 99.56 feet; thence South 33 degrees 21 minutes 27 seconds East, 99.79 feet; thence South 20 degrees 15 minutes 29 seconds East, 100.79 feet; thence South 00 degrees 47 minutes 24 seconds East, 71.65 feet; thence South 24 degrees 09 minutes 17 seconds West, 97.63 feet; thence South 42 degrees 43 minutes 56 seconds West, 98.57 feet; thence South 48 degrees 58 minutes 46 seconds West, 101.07 feet; thence South 61 degrees 02 minutes 56 seconds West, 98.24 feet; thence South 69 degrees 19 minutes 50 seconds West, 398.84 feet; thence South 71 degrees 07 minutes 15 seconds West, 458.03 feet; thence South 35 degrees 20 minutes 05 seconds West, 95.32 feet; thence South 60 degrees 38 minutes 30 seconds West, 63.90 feet; thence South 72 degrees 46 minutes 49 seconds West, 89.11 feet; thence South 77 degrees 55 minutes 41 seconds West, 103.81 seconds West, 89.11 feet; thence South 77 degrees 55 minutes 41 seconds West, 103.81 seconds West, 89.11 feet; thence North 65 degrees 36 minutes 09 seconds West, 383.24 feet; thence North 59 degrees 31 minutes 54 seconds West, 94.44 feet; thence North 48 degrees 04 minutes 59 seconds West, 97.66 feet; thence North 31 degrees 08 minutes 42 seconds West, 80.12 feet; thence North 16 degrees 43 minutes 45 seconds West, 186.44 feet; thence North 12 degrees 32 minutes 27 seconds West, 108.18 feet; thence North 04 degrees 07 minutes 25 seconds West, 103.24 feet; thence North 00 degrees 15 minutes 01 seconds West, 89.26 feet to the point of beginning. Situated in the County of Winnebago and the State of Illinois and containing 42.65 acres.

LEGAL DESCRIPTION OF
SOUTHERN UNIT EXPANSION

Part of the East Half of Section 36, Township 43 North, Range 1 East of the Third Principal Meridian, and part of the West Half of Section 31, Township 43 North, Range 2 East of the Third Principal Meridian, bounded and described as follows: Commencing at the southwest corner of the Southeast Quarter of the Northeast Quarter of Section 36, Township 43 North, Range 1 East of the Third Principal Meridian; thence South 00 degrees 58 minutes 29 seconds East, along the west line of the Northeast Quarter of the Southeast Quarter of said Section 36, a distance of 1320.66 feet; thence North 88 degrees 41 minutes 46 seconds East, along the north line of the Southeast Quarter of the Southeast Quarter of said Section 36, a distance of 1208.38 feet; thence North 48 degrees 58 minutes 20 seconds West, 501.16 feet to the point of beginning for the following described parcel; thence North 27 degrees 18 minutes 28 seconds West, a distance of 90.62 feet; thence North 19 degrees 56 minutes 35 seconds East, a distance of 112.07 feet; thence North 70 degrees 41 minutes 40 seconds East, a distance of 77.41 feet; thence North 45 degrees 49 minutes 07 seconds East, a distance of 132.76 feet; thence North 59 degrees 16 minutes 31 seconds East, a distance of 100.99 feet; thence North 65 degrees 03 minutes 34 seconds East, a distance of 98.31 feet; thence North 67 degrees 02 minutes 59 seconds East, a distance of 101.70 feet; thence North 70 degrees 27 minutes 28 seconds East, a distance of 89.73 feet; thence North 73 degrees 50 minutes 44 seconds East, a distance of 91.46 feet; thence North 74 degrees 30 minutes 57 seconds East, a distance of 333.22 feet; thence North 69 degrees 42 minutes 52 seconds East, a distance of 100.00 feet; thence North 74 degrees 13 minutes 10 seconds East, a distance of 137.33 feet; thence South 51 degrees 20 minutes 27 seconds East, a distance of 56.98 feet; thence South 44 degrees 28 minutes 30 seconds East, a distance of 141.22 feet; thence South 68 degrees 16 minutes 56 seconds West, a distance of 1396.57 feet to the point of beginning. Containing 6.55 Acres, more or less.

LEGAL DESCRIPTION OF
WASTE BOUNDARY - SOUTHERN UNIT

Part of the East Half of Section 36, Township 43 North, Range 1 East of the Third Principal Meridian, and part of the West Half of Section 31, Township 43 North, Range 2 East of the Third Principal Meridian, bounded and described as follows: Commencing at the southwest corner of the Southeast Quarter of the Northeast Quarter of Section 36, Township 43 North, Range 1 East of the Third Principal Meridian; thence South 00 degrees 58 minutes 29 seconds East, along the west line of the Northeast Quarter of the Southeast Quarter of said Section 36, a distance of 1320.66 feet; thence North 88 degrees 41 minutes 46 seconds East, along the north line of the Southeast Quarter of the Southeast Quarter of said Section 36, a distance of 1208.38 feet to the POINT OF BEGINNING; thence North 48 degrees 58 minutes 20 seconds West, 501.16 feet; thence North 68 degrees 16 minutes 56 seconds East, 1396.57 feet; thence South 00 degrees 10 minutes 54 seconds East, 899.03 feet; thence South 00 degrees 16 minutes 15 seconds West, 305.22 feet; thence South 07 degrees 07 minutes 14 seconds West, 45.10 feet; thence South 46 degrees 31 minutes 38 seconds West, 74.55 feet; thence South 63 degrees 48 minutes 23 seconds West, 436.08 feet; thence South 88 degrees 22 minutes 07 seconds West, 144.36 feet; thence North 84 degrees 48 minutes 06 seconds West, 169.41 feet; thence North 50 degrees 37 minutes 40 seconds West, 56.03 feet; thence North 17 degrees 52 minutes 12 seconds West, 52.60 feet; thence North 01 degrees 04 minutes 21 seconds West, 317.89 feet; thence North 01 degrees 56 minutes 17 seconds West, 122.42 feet; thence North 07 degrees 06 minutes 59 seconds West, 49.40 feet; thence North 36 degrees 13 minutes 18 seconds West, 42.95 feet; thence North 48 degrees 58 minutes 20 seconds West, 70.36 feet to the point of beginning. Situated in the County of Winnebago and the State of Illinois and containing 27.65 acres.

PLAT OF SURVEY FOR
NORTHERN AND SOUTHERN
UNIT CLOSURE
PART OF THE EAST 1/2 OF SECTION 36,
T. 43N., R. 1 E. OF THE 3RD. P.M. AND
PART OF THE WEST 1/2 OF SECTION 31,
T. 43N., R. 2E. OF THE 3RD. P.M.
WINNEBAGO LANDFILL
WINNEBAGO COUNTY, ILLINOIS

	DATE	2/27/13	REVISIONS
	BY	DLK	11 ADDED CROSS HATCHING
	APPROVED	GS	
	ORDER NO.	22019	CLOSURE



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20131012056

Filed for Record in
WINNEBAGO COUNTY, IL
NANCY MCPHERSON, RECORDER
03/20/2013 04:44:21PM

DECLARATION 39.75

DECLARATION
WINNEBAGO COUNTY

This document prepared by
and return after recording to:

Jon S. Faletto
Hinshaw & Culbertson LLP
416 Main Street, 6th Floor
Peoria, IL 61602

DECLARATION FOR
WINNEBAGO LANDFILL FACILITY – SOUTHERN UNIT

THIS DECLARATION (“Declaration”) is made as of this 20th day of March, 2013 by Winnebago Landfill Company, LLC, an Illinois Limited Liability Company (“Declarant”), with a mailing address of 5450 Wansford Way, Suite 201, Rockford, IL 61109.

RECITALS:

A. Declarant is the owner of certain real property commonly known as Winnebago Landfill Facility – Southern Unit, which is comprised of various and contiguous parcels of land as legally described in Exhibit “A” and as depicted in the Plat of Survey in Exhibit “B” attached hereto and made part hereof, all located in Winnebago County, Illinois (collectively, the “Southern Unit”).

B. The Southern Unit has previously been operated as a landfill facility, which landfill facility is now being closed.

C. Declarant desires by this Declaration to comply with the applicable requirements of Illinois law and regulations with respect to such landfill facility closure, to wit, Illinois Administrative Code (the “Code”) Title 35, Subtitle G, Chapter I, Subchapter 1, Part 811, Section 811.110 entitled “Closure and Written Closure Plan” (“Section 811.110”) which requires the owner or operator of a landfill, following closure at a landfill site, to record a notation on the deed to the landfill facility property or some other instrument that is normally examined during title search, which instrument is made in such a way that in perpetuity notifies any potential purchaser of the property that: i) the land has been used as a landfill facility; and ii) its use is restricted pursuant to Section 811.111(d) of the Code.

NOW, THEREFORE, Declarant hereby declares that the Southern Unit, is and shall be owned, held, mortgage, leased or otherwise encumbered, transferred, assigned, sold, conveyed and accepted subject to this Declaration, and declares that each of the following covenants,

conditions, restrictions, burdens, uses, privileges and charges created hereunder shall exist at all times hereafter amongst, and be binding upon and inure, to the extent provided herein, to the benefit of all parties having or acquiring any right, title, or interest in or to any portion of, or interest or estate in, the Southern Unit, and each of the foregoing shall run with the land subject to this Declaration, in perpetuity.

1. The foregoing Recitals are hereby incorporated by reference into the body of this Declaration as is fully set forth herein.

2. Declarant hereby makes the following declaration with respect to the Southern Unit, and does hereby impose upon same the following covenants, conditions, and restrictions, pursuant to said Section 811.110:

A. Notice is hereby given that the Southern Unit has been used as a landfill facility; and

B. The use of the Southern Unit is restricted pursuant to Section 811.111(d) of the Code which provides in relevant part:

- i. Postclosure use of the property must not disturb the integrity of the final cover, liner, any other components of the containment system, or the function of the monitoring systems, unless necessary to comply with the requirements of this Part. (35 Illinois Administrative Code §811.111(d)(2)); and
- ii. The Illinois Environmental Protection Agency shall approve any other disturbance if the owner or operator demonstrates that the disturbance of the final cover, liner or other component of the containment system, including any removal of waste, will not increase the potential threat to human health or the environment. (35 Illinois Administrative Code §811.111(d)(3))

3. Declarant hereby covenants and agrees that the servitudes, privileges, agreements and terms hereof shall be binding upon its assigns or successors in interest and all other persons or entities having or hereafter acquiring any right, title or interest in the Southern Unit. Each and every mortgage, lien or other encumbrance affecting any portion of the Southern Unit shall at all times be subject to the terms of this Declaration, and any party foreclosing any such mortgage, lien or encumbrance shall foreclose subject to all of the provisions hereof.

4. The restrictions referenced herein shall be perpetual in duration; provided, however, that, to the extent necessary to comply with the rule against perpetuities or similar rules or doctrines under applicable law, said restrictions shall be effective for a term of forty (40) years from the date this Declaration is recorded, after which time said covenants, conditions and restrictions shall be automatically extended without further act of the owners of the Southern Unit, for successive periods of twenty (20) years each.

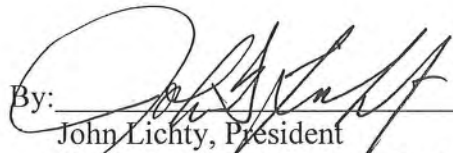
5. This Declaration and the obligations of the parties thereunder shall be interpreted, construed and enforced in accordance with the laws of the State of Illinois.

6. Whenever used herein, the singular number shall include the plural, the plural the singular, and the use of any gender shall include all genders. The word, "mortgage," as used herein, shall mean mortgage, deed of trust, trust deed, security deed or deed to secure debt.

20th IN WITNESS WHEREOF, the Declarant has caused these presents to be executed on this day of March, 2013.

DECLARANT:

WINNEBAGO LANDFILLCOMPANY, LLC

By: 


John Lichty, President
Winnebago Reclamation Service, Inc., as
Manager of the Winnebago Landfill Company,
LLC, an Illinois Limited Liability Company

ACKNOWLEDGEMENT

STATE OF ILLINOIS)
) SS
COUNTY OF WINNEBAGO)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY THAT John Lichty, President of Winnebago Reclamation Service, Inc., as General Manager for Winnebago Landfill Company, LLC, an Illinois Limited Liability Company, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged to me that he signed and delivered the said instrument in such capacity of said limited liability company as his own free and voluntary act, and as the free and voluntary act of said limited liability company as aforesaid, for the uses and purposes therein set forth.

Given under my hand and official seal this 20th day of March, 2013.



Notary Public

My Commission Expires:

1/10/2014



EXHIBIT A**Legal Description for Winnebago Landfill Facility – Southern Unit Waste Boundary**

Part of the East Half of Section 36, Township 43 North, Range 1 East of the Third Principal Meridian, and part of the West Half of Section 31, Township 43 North, Range 2 East of the Third Principal Meridian, bounded and described as follows: Commencing at the southwest corner of the Southeast Quarter of the Northeast Quarter of Section 36, Township 43 North, Range 1 East of the Third Principal Meridian; thence South 00 degrees 58 minutes 29 seconds East, along the west line of the Northeast Quarter of the Southeast Quarter of said Section 36, a distance of 1320.66 feet; thence North 88 degrees 41 minutes 46 seconds East, along the north line of the Southeast Quarter of the Southeast Quarter of said Section 36, a distance of 1208.38 feet to the POINT OF BEGINNING; thence North 48 degrees 58 minutes 20 seconds West, 501.16 feet; thence North 68 degrees 16 minutes 56 seconds East, 1396.57 feet; thence South 00 degrees 10 minutes 54 seconds East, 899.03 feet; thence South 00 degrees 18 minutes 15 seconds West, 305.22 feet; thence South 07 degrees 07 minutes 14 seconds West, 65.10 feet; thence South 46 degrees 31 minutes 38 seconds West, 74.55 feet; thence South 63 degrees 48 minutes 23 seconds West, 436.08 feet; thence South 88 degrees 22 minutes 07 seconds West, 144.36 feet; thence North 84 degrees 48 minutes 05 seconds West, 169.41 feet; thence North 50 degrees 37 minutes 40 seconds West, 56.03 feet; thence North 17 degrees 52 minutes 12 seconds West, 52.60 feet; thence North 01 degrees 04 minutes 21 seconds West, 317.89 feet; thence North 01 degrees 56 minutes 17 seconds West, 122.42 feet; thence North 07 degrees 06 minutes 59 seconds West, 49.40 feet; thence North 36 degrees 13 minutes 18 seconds West, 42.95 feet; thence North 48 degrees 58 minutes 20 seconds West, 70.36 feet to the point of beginning. Situated in the County of Winnebago and the State of Illinois and containing 27.65 acres.

EXHIBIT B

Plat of Survey for:

Winnebago Landfill Facility – Northern Unit, Southern Unit, Southern Unit Expansion

See attached Plat of Survey drawing

**PLAT OF SURVEY FOR
NORTHERN AND SOUTHERN
UNIT CLOSURE**

PART OF THE EAST 1/2 OF SECTION 36,
T. 43N., R. 1 E. OF THE 3RD. P.M. AND
PART OF THE WEST 1/2 OF SECTION 31,
T. 43N., R. 2E. OF THE 3RD. P.M.

WINNEBAGO LANDFILL
WINNEBAGO COUNTY, ILLINOIS

 <p>Arnold Lundgren & Associates Professional Engineers and Land Surveyors Illinois Professional Design Firm No. 166-02289 1234 Fourth Avenue • Stockton, IL 61110 (815) 966-6561 • Fax (815) 962-6409 www.arnoldlundgren.com</p>	DATE	2/27/13	REVISIONS	11 ADDED CROSS HATCHING
	BY	DLK		
	APPROVED	GS		
	ORDER NO.	21019 CLOSURE		